

Message

From: Vela, Austin [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=213CAE4573C4441CB543699AD802C024-VELA, AUSTIN]
Sent: 9/6/2022 6:02:04 PM
To: Young, Nichole [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=de6d7f1c18f94aeb89c71047e9772e42-Young, Nich]; Larsen, Brent [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=8f36d5b7b5674c77a9262d3fa8edd72c-Larsen, Brent]
CC: Acevedo, Janie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1ff0c4562a564166ba7a9d0792a26526-Acevedo, Janie]
Subject: Fwd: Sen. Cruz staff Qs RE: NSR and GP questions

Hey Nichole and Brent - hope you both had a good weekend. Please see the follow up questions from the Senator's staffer. For the parts we can be responsive, can you let me know how much time you'll need to draft a response? Thanks!

Sent from my iPhone

Begin forwarded message:

From: "Schindler, James (Cruz)" <James_Schindler@cruz.senate.gov>
Date: September 2, 2022 at 12:05:18 PM CDT
To: "Vela, Austin" <Vela.Austin@epa.gov>
Cc: "Borum, Denis" <Borum.Denis@epa.gov>
Subject: RE: Sen. Cruz staff Qs RE: NSR and GP questions

EPA colleagues,

I hope all is well. Thank you for the prompt responses thus far. A few quick questions: First, I received the invite to last night's public meeting on this topic, however sadly I was unable to attend, so apologies if this was covered in that meeting.

Since it now appears clear that there won't be a new NPDES GP in place on October 1, I understand that the offshore industry folks will need to operate under an administrative continuance of the existing NPDES GP.

1. <!--[if !supportLists]--><![endif]-->I understand from your last response that an operator can't obtain coverage for a *new* facility during this administrative continuance, but what about changes to their existing coverage?
2. <!--[if !supportLists]--><![endif]-->I understand that operators submit Notices of Intent (NOI) to obtain coverage under a NPDES GP, and the NOIs include specific information such as vessel names and well locations. I also understand that sometimes this information needs to be changed before or even after an operation occurs. Will operators be able to alter their previously-approved NOIs during the administrative continuance, such as if they need to alter the rig, well site location, or discharge type?
3. <!--[if !supportLists]--><![endif]-->Has EPA discussed with the offshore industry, or provided guidance to them, the permitting process they should follow after September 30 and during the administrative continuance?
 1. If so, what was their general response?
 2. If not, will EPA be providing them with guidance?

4. Does EPA still believe there won't be impacts to new or existing GOM production?

Thank you again and have a good weekend!

James Schindler
Legislative Counsel
Office of Senator Ted Cruz
127A Russell Senate Office Building
Washington, DC 20510

From: Vela, Austin <Vela.Austin@epa.gov>
Sent: Monday, August 1, 2022 1:06 PM
To: Schindler, James (Cruz) <James_Schindler@cruz.senate.gov>
Cc: Borum, Denis <Borum.Denis@epa.gov>
Subject: RE: Sen. Cruz staff Qs RE: NSR and GP questions

Ex. 5 Deliberative Process (DP)

From: Schindler, James (Cruz) <James_Schindler@cruz.senate.gov>
Sent: Wednesday, July 27, 2022 2:55 PM
To: Vela, Austin <Vela.Austin@epa.gov>
Cc: Borum, Denis <Borum.Denis@epa.gov>
Subject: Re: Sen. Cruz staff Qs RE: NSR and GP questions

Austin and Denis, thank you both for the clarifications.

Last question (for now), if the GP is administratively extended does that mean a person with existing permits will be able to apply for and receive new permits after the GP expires under that administrative extension?

On Jul 7, 2022, at 4:27 PM, Vela, Austin <Vela.Austin@epa.gov> wrote:

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

From: Borum, Denis <Borum.Denis@epa.gov>
Sent: Tuesday, June 28, 2022 2:22 PM
To: Vela, Austin <Vela.Austin@epa.gov>
Subject: FW: Sen. Cruz staff Qs RE: NSR and GP questions

From: Schindler, James (Cruz) <James_Schindler@cruz.senate.gov>
Sent: Monday, June 27, 2022 11:58 AM
To: Borum, Denis <Borum.Denis@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Haman, Patricia <Haman.Patricia@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>
Cc: Swint, Matthew (Cruz) <Matthew_Swint@cruz.senate.gov>
Subject: RE: Sen. Cruz staff Qs RE: NSR and GP questions

Denis, thank you for last week's response. I have some follow-up questions:

1. Will there definitely be a lapse, since it looks like EPA is out of time if it hasn't published the draft yet? If so, how long is "short"? – weeks, months, years?
2. Won't a lapse impact production on existing leases for activities that are not requested prior to Sept. 30 (e.g., new discharges requested after Sept. 30 without a GP in place)?
3. Roughly how much production will be impacted by that lapse?
4. What can the agency do to accelerate the renewal and minimize impacts on production? Will the agency be doing that?

Thank you again,

From: Schindler, James (Cruz)
Sent: Thursday, June 23, 2022 3:56 PM
To: 'Borum, Denis' <Borum.Denis@epa.gov>
Subject: RE: Sen. Cruz staff Qs RE: NSR and GP questions

Hi Denis, thank you for that, message received.

From: Borum, Denis <Borum.Denis@epa.gov>
Sent: Thursday, June 23, 2022 3:53 PM
To: Schindler, James (Cruz) <James_Schindler@cruz.senate.gov>
Subject: RE: Sen. Cruz staff Qs RE: NSR and GP questions

Hi again, James –

Ex. 5 Deliberative Process (DP)

Please let me know if you have additional questions.

Denis

Denis R. Borum
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Office of Congressional and Intergovernmental Relations
U.S. Environmental Protection Agency
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Washington, D.C. 20460
(202) 564-4836 (desk phone)
(202) 527-1386 (mobile phone)
(202) 501-1549 (fax)
borum.denis@epa.gov (e-mail)

From: Borum, Denis
Sent: Tuesday, June 21, 2022 11:01 AM
To: Schindler, James (Cruz) <James_Schindler@cruz.senate.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Levine, Carolyn <Levine.Carolyn@epa.gov>; Haman, Patricia <Haman.Patricia@epa.gov>
Subject: RE: Sen. Cruz staff Qs RE: NSR and GP questions

Hi, James – I'm checking into the NPDES GP and will follow-up with you soon.

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From: Schindler, James (Cruz) <James_Schindler@cruz.senate.gov>
Sent: Tuesday, June 21, 2022 10:38 AM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Levine, Carolyn <Levine.Carolyn@epa.gov>; Haman, Patricia <Haman.Patricia@epa.gov>; Borum, Denis

<Borum.Denis@epa.gov>

Subject: RE: Sen. Cruz staff Qs RE: NSR and GP questions

Thank you Karen for the reply. Is there any update on the second question about GP's for offshore?

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>

Sent: Tuesday, June 21, 2022 10:27 AM

To: Schindler, James (Cruz) <James_Schindler@cruz.senate.gov>

Cc: Levine, Carolyn <Levine.Carolyn@epa.gov>; Haman, Patricia <Haman.Patricia@epa.gov>; Borum, Denis <Borum.Denis@epa.gov>

Subject: RE: Sen. Cruz staff Qs RE: NSR and GP questions

Ex. 5 Deliberative Process (DP)

From: Thundiyil, Karen

Sent: Friday, June 17, 2022 2:04 PM

To: Schindler, James (Cruz) <James_Schindler@cruz.senate.gov>

Cc: Levine, Carolyn <Levine.Carolyn@epa.gov>; Haman, Patricia <Haman.Patricia@epa.gov>; Borum, Denis <Borum.Denis@epa.gov>

Subject: RE: Sen. Cruz staff Qs RE: NSR and GP questions

Hi James,

Glad we could touch base over the phone yesterday. I just tried to reach you by phone but I didn't catch you. I wanted to let you know we are still checking on what kind of info we have that captures what you are looking for regarding NSR permits/petroleum refineries. I hope to have a more substantive update for your next week.

Thank you for your patience. Take care,

Karen.

Karen Thundiyil

Office of Congressional Affairs

U.S. Environmental Protection Agency

(202) 564.1142

From: Thundiyil, Karen

Sent: Thursday, June 16, 2022 10:40 AM

To: Schindler, James (Cruz) <James_Schindler@cruz.senate.gov>

Cc: Levine, Carolyn <Levine.Carolyn@epa.gov>; Haman, Patricia <Haman.Patricia@epa.gov>; Borum, Denis <Borum.Denis@epa.gov>

Subject: RE: Sen. Cruz staff Qs RE: NSR and GP questions

Hi James – thanks for reaching out with your NSR question. I'm not sure if we have that data at HQ or if it needs to be compiled from the regional offices. I'm checking. In the meantime, please let know any background you can share and more about your sense of timing.

Take care,

Karen.

From: Levine, Carolyn <Levine.Carolyn@epa.gov>

Sent: Wednesday, June 15, 2022 5:05 PM

To: Schindler, James (Cruz) <James_Schindler@cruz.senate.gov>; Haman, Patricia <Haman.Patricia@epa.gov>; Borum, Denis <Borum.Denis@epa.gov>

Cc: Thundiyil, Karen <Thundiyil.Karen@epa.gov>

Subject: Sen. Cruz staff Qs RE: NSR and GP questions

hi James,

Thanks for your email. I've added other folks here to assist with your Qs below.

thanks,
Carolyn

*Carolyn Levine
Office of Congressional and
Intergovernmental Relations
U.S. EPA
(202) 564-1859 (forwarded)*

From: Schindler, James (Cruz) <James_Schindler@cruz.senate.gov>

Sent: Wednesday, June 15, 2022 5:02 PM

To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>

Subject: NSR and GP questions

Karen and Carolyn, I hope you are well. My apologies if you aren't the right points of contact, and if not could you connect me with those who are.

I'm writing with two questions for the EPA experts, and because of the timing, having these answers as soon as possible is greatly appreciated!

1. Are there any pending New Source permits for gasoline/diesel refineries or expansions under review by EPA? Can you provide a list? I tried looking on the website, but was unsuccessful.
2. The general permit for offshore oil/gas operators on the Outer Continental Shelf to discharge processed water expires September 30, 2022 (according to [this](#)). Is that still true? Where is the agency in process and what is the timing with issuing a new GP? Is the agency able/planning to extend the existing GP in the event a new one cannot be issued before the current one expires? What is the plan if the existing GP cannot be extended?

Thank you,

James Schindler

Legislative Counsel

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127A Russell Senate Office Building

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